

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

ANN B. TRIBBEY, et al.,

Plaintiffs,

v.

NEW YORK LIFE INSURANCE CO.,

Defendant.

Case No. 3:07cv220-JRS

NEW YORK LIFE INSURANCE
& ANNUITY CORP.,

Counterclaimant,

v.

ANN B. TRIBBEY, and

ANN B. TRIBBEY, custodian for
RACHAEL L. WASHINGTON, minor,

Counterdefendants.

REPORT REGARDING CONSENT TO PROCEED BEFORE A MAGISTRATE JUDGE

Pursuant to the Court's May 4, 2007 Notice of Pretrial Conference, counsel for Defendant New York Life Insurance Company and Counterclaimant New York Life Insurance and Annuity Corporation, and counsel for Plaintiffs/Counterdefendants Ann B. Tribbey and Rachael L. Washington have conferred and did *not* reach unanimous consent to proceed before a United States Magistrate Judge.

Dated: May 22, 2007

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of May, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF), to the following:

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I also certify that I sent a copy of the foregoing to above counsel via first-class mail, postage prepaid.

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